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MICHAEL ROGERS

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9 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MICHAEL ARTHUR ROGERS,

16 Defendant.
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CR 10-00042 SBA

STIPULATION TO CONTINUANCE
AND EXCLUSION OF TIME UNDER
THE SPEEDY TRIAL ACT, 18 U.S.C. §
3161 ET. SEQ.; ~~PROPOSED~~ ORDER

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19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status
20 hearing date of January 19, 2011 presently scheduled at 10:00 a.m., before the Hon. Donna M. Ryu,
21 be vacated and re-set for February 16, 2011 at 9:30 a.m., before the Oakland Duty Magistrate, for
22 status.

23 The reason for this request is that Ellen Leonida, the undersigned Assistant Federal Public
24 Defender, is conducting investigation in this matter which cannot be completed prior to the currently
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2 scheduled hearing date.

3 The parties agree and stipulate that the time until February 16, 2011 should be excluded,
4 under 18 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance
5 outweigh the best interests of the public and the defendant in a speedy and public trial. The
6 continuance is necessary to accommodate counsel's preparation efforts.

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8 Date: January 18, 2011

/s/
Ellen V. Leonida
Assistant Federal Public Defender
Counsel for defendant MICHAEL ROGERS

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11 Date: January 18, 2011

/s/
Trevor L. Rusin
Assistant United States Attorney

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14 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
15 within this e-filed document.

/S/ Ellen V. Leonida

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ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to February 16, 2011 at 9:30 a.m., before the Oakland Duty Magistrate, and that time is excluded from January 19, 2011 until February 16, 2011 pursuant to 18 U.S.C. § 3161(h)(7)(a).

IT IS SO ORDERED.

January 18, 2011
Date



LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE